

**College Quarterly**Fall 2005 - Volume 8 Number 4

[▲ Home](#)[◀ Contents](#)**The Misuse of Non-Argumentative Approaches in Practical Ethics Discussions: A Dialogue with Discussion***by Jim Gough***Introduction**

This paper presents a description of a set of classroom discussions with students in an introductory college ethics course, with typical responses from the instructor to the students, as well as post discussion observations by the writer/instructor. It is intended as an open-ended paper, one which introduces the reader to discussions and invites further discussions to continue the dialogue. Some of the ideas in this paper were originally presented at the Canadian Society for the Study of Practical Ethics meetings, May 30, 2004, St. Johns College, University of Winnipeg, Winnipeg, Manitoba, and I am grateful for the enthusiastic response some of the ideas received. It is not intended that this paper should itself constitute an argument, or that it should function as a research resource paper for those seeking a bibliographic search of the available literature. Rather, there seemed to me to be a need for open discussion of important issues raised in some college courses, issues that affect, not only these courses but other courses, issues that are raised to allow us to test our own teaching intuitions about what works and what doesn't work in similar circumstances. So, I would not be surprised if others were critical of my responses either as the writer or the professor. Indeed, I would welcome criticism and promote it for others in similar circumstances.

Background: Course Objectives

The following constitute a glimpse inside a practical ethics classroom and represent some common themes and problems that can occur in this context. The ensuing dialogue is not intended to be exhaustive nor specific, but rather representative of general situations encountered in teaching practical ethics courses in a variety of circumstances. The dialogue that follows is based on the identification in the course outline of the goals and objectives of the course which are to identify ethical issues and developing the skill of argumentation in the critical evaluation of these issues and the attempted resolutions of them.

Argumentation and Opinionation

Many students in practical ethics courses have the false belief that the sincere expression of their own opinion is an appropriate, relevant and acceptable or appropriate response to any ethical issue, problem or scenario. Indeed they believe that the issue is resolved by

the expression of their opinion. So, consider the following:

Classroom Discussion [the first week]

This description of a typical discussion in a practical or applied ethics course will include the views of (1) the students, (2) the professor, (3) the writer's observations reflecting back on the situation described, and (4) the responses of the audience, or in this case, -- the class.

Student1: I strongly believe that abortion is just wrong. It is always wrong to take the life of an innocent human being.

Professor: You have provided us all with a clear and precise description of your point of view. But, why do you think that abortion is always wrong?

Student1: I know what I believe and what I think is right. I have a right to express my personal point of view; my beliefs. This is a free country.

Professor: All of us in this room, of course, have the right to ignore your point of view, which might seem to diminish its importance, but that is not what I intend. From what you say, and how you say it, I know that you have views, which you sincerely believe are right. But, I'm asking for something else from you. Let me start with another question. Do you think that your idea that abortion is always wrong is itself a controversial claim or not? For example, would others, even in this classroom, disagree with your view or belief ?

Student 1: Sure. They might disagree but they are not me (sic). I am a unique individual with my own views. I had a friend who had to wrestle with the issue of abortion in her own case, and we discussed the options for some time. That personal experience fixed my views about abortion. She made a mistake that she regretted later. Besides, as I said earlier, I have a right to express my views and my view is that abortion is always wrong.

Professor: Is the disagreement of others with your view important to you? Notice that at this point I am not asking you to describe or even explain your views, their source or cause. What I'm interested in, is the rational basis or foundation or justification for your view, which is different from what view you hold or the cause or the source of your holding the view. I'm looking for ways that you can persuade others that your views are worthy of their acceptance or support using reasons or a justification, which is significantly different from a rationalization and an explanation or description or the expression of a strongly held opinion.

Writer's Observations: I recall only one classroom situation, and that occurred relatively recently, where a

student actually said that she did not care, had no interest in whether anyone else accepted or had good reasons to accept her views or not. In the vast majority of cases, students do have an interest in trying to understand how to convince others that the view this student holds is justified.

Student1: Yes it is important to me that others accept my views because I think they are right. I cannot understand why others might continue to believe what simply isn't true; namely that abortion is acceptable. I think they have been conned by the media and the liberal left in the East.

Class: The low murmuring in the class now reaches a higher decibel level as many students express their displeasure at the views of Student 1. Many students seem offended by the remarks of Student 1, which is a situation not likely to create an empathetic response to her views.

Student 2: I don't know where he gets off dictating and preaching his views to the rest of us. What right has he got to decide this issue for the rest of us? I don't get it! This is a waste of time, if all we get to do in this course is to listen to people 'spout off' their own views. I hope this course is going to be about something more important than that.

Writer's Observations: Unless this situation is addressed at this point in any class of any course in applied or practical ethics, the term may be doomed-- if the professor's intent is to produce informed discussion of controversial issues and justifications based on acceptable argumentation. Although this goal may not be possible at the high school level of intellectual or emotional development, I think --contrary to some skeptics--that it should be possible even in the very first introductory ethics course in college or university. It is not possible to expect a sophisticated level of argumentation, but it is possible to get students to see the importance and the need to provide a justification.

Professor: So do I. Soapboxing is important as a way of giving people a means of expressing their own opinions in a free and open environment. However, in the case of trying to resolve important issues in practical ethics, we need to move beyond soapbox rhetoric. I think it might be useful now to focus on what we are doing in this class. Whether what has happened so far is a waste of time or not depends upon what we want to do in response to the controversial issue of abortion or indeed many other controversial issues like capital punishment or euthanasia. Let me ask you, Student 1 and then Student 2, to tell us what you believe your task is in this class, when it comes to dealing with controversial issues in ethics.

Student 1: Obviously, my job is to explain to others what I sincerely believe and to listen to their views as well. But that is about all I can do. If others do not believe me, then that is their problem. I have no way of deciding for them. They must make up their own minds.

Class: Some members of the class can be heard to audibly proclaim "what?" "I don't believe it!" "Who does he think he is, anyway?"

Student 2: Student 1 hasn't convinced me at all that abortion is wrong; far from it. My view is that under certain circumstances abortion should be accepted, if the woman wants to have an abortion. I don't believe that anyone else should have the right to tell someone else what she must do with her body. If that were the case it would be just outrageous.

Class: Some heckling and name -calling sometimes occur but finally with some determined prodding efforts on the part of the professor, the classroom situation quiets down. This involves an evaluation of the instructor to determine, not to diminish student enthusiasm and energy, how to calmly channel such enthusiasm into the use of appropriate and effective means of expression in a classroom. Classroom management techniques are open-ended according to the situation, and vary considerably depending upon the actual student membership in any classroom.

Opinion and Argumentation

Professor: We have now reached an important point in this course. It is time to have a discussion of the differences between argumentation and opinionation, in order to focus on the preferred means of dealing with controversial issues in this course. There are two different tasks, for both the individual and an audience, for opinionation and rational argumentation. In case of opinionation, the purpose of the views or preferences expressed is descriptive, telling the person voicing the views and an audience what she believes. In the case of argumentation, the purpose of the discussion is to inform the person voicing the views and the audience of what she believes [exactly like an opinion at this point] and what reasons, justification or rational basis, she has for this belief –why she believes what she believes. Notice that, in the second case, nothing is lost from the perspective of the expression of one's point of view, personal preferences or personal beliefs. These are not given up or put in a closet somewhere.

The opinion or point of view, which is controversial, because others do not accept it on the mere saying that it is so , but they require more, and sometimes the person expressing the point of view also requires more. In this class we will be changing the context of

your views or opinions. The problem is that controversial ethical issues in democratic societies have been thrown out to the public, most of who are ill equipped to critically evaluate the issues and develop persuasive arguments. This is the baggage we all bring to this class. We all seem to know the issues very well, intimately in some cases, but we have not been trained or educated to critically evaluate them and to use this evaluation in making informed ethical decisions. Opinions are freely expressed in the public domain, but this is deceiving since in this context free expression must be combined with argumentation. (A more comprehensive discussion of the distinction alluded to here can be found in: "The Differences between Opinions and Argumentation", Proceedings of the Argumentation and Its Applications conference, The Ontario Society for the Study of Argumentation and the International Society for the Study of Argumentation, CD ROM, 2001.)

Class: The introduction of the notion of argumentation and its importance over opinionation is a shock to some students. Some are puzzled at the introduction of the notion of an argument as a controlled way of developing a critical response to ethical issues. Some students fear this new component, since in the public domain they have often been quite good at expressing their opinions. Some of the opinionated ones now find themselves at a loss, while the more critical students find some comfort in the idea that ethical issues will need to be considered in the sober and glaring light of reason. Some of the opinionated students may choose to leave the class, which is a shame, but most, in my experience, choose to stay to develop their argumentation skills. In class evaluations, many students identify this part of the course as pivotal to their success and sense of achievement later on as the course progresses.

Writer's Observations: There is a discussion of informal argumentation and simple examples are provided in class to identify the central features and the significant practical differences of inductive, conductive, analogical, deductive and experiential argumentation.

Class time is over and the class begins to leave

Student 2: {sitting in the front row of the class, then gazes knowingly at a group of women two rows behind him says:) I have a feeling this is going to be a very interesting class. I can't wait 'til next week!

Classroom Discussion [the second week]

Misplaced and Mistaken Appeals to Authority in Argumentation involving Ethics: There is a popular tendency to substitute and accept the substitution of non-argumentative approaches to persuasion,

approaches which falsely or mistakenly appear to (a) be rationally persuasive, and (b) provide an efficient and effective response to an opposing view. Some of these fall roughly into the category of an opinion, so some discussion of an opinion will occur, as well as how it is distinguished from an argument. The general failures of justification fall under three main categories: (1) the use of an inappropriate authority or evidence; (2) the use of irrelevant authority or evidence culled from popular culture; and (3) vague references to authority, which fail to be determinate or effective.

Student 2: When it comes to gay marriages and whether or not they should be allowed in our society, I think we can provide the only clear and convincingly acceptable answer.

Professor: Be careful always to qualify any claims you might make about your views or your justifications for these views. You do not want to bite off more than you can chew especially when it may be difficult for you or anyone else to swallow your claims. So I suggest that you qualify and neutralize your claims some more. For example, you could say, "There may be good and important reasons not to legalize or religiously sanctify non-traditional homosexual relationships". By qualifying and neutralizing, you will not alienate your audience and you will allow yourself to see the issues in the clearest possible light. That is, you do not foreclose on the possibility, at least, that you could change your mind. Remember that you are not trying to convince yourself and your audience by your use of shock words, tone of voice, voice level, and body gestures alone. Instead, you are trying to convince by the cool and controlled process of rational argumentation, which provides a kind of emotional breather from the passion with which you express your attitudes to various ethical issues. These passions or emotions, by the way, are not bad, but do need some constraint, some control, and some monitoring by you. To be passionate about something is to be very interested and involved in it, which in the first instance of any ethical situation is a good thing. Emotions are good as a trigger to get us excited and involved in ethical issues. Without them we could all be in trouble. Often, one of the major problems is that people who feel no emotional response to a clearly emotionally charged ethical situation, the autistic, the sociopath and the psychopath, for example, all seem to lack empathy for the situation of others.

Remember that when you develop a critical response in class, you are developing the rudiments or outline of an argumentative response. This should be happening in a supportive environment, where you can experiment with various critical approaches, sometimes your own or devil's advocate responses of those views you initially oppose. The classroom is an ideal experimental setting, where nothing should be lost in making mistakes and correcting them to produce a better critical response. So, orally developing your critical ideas in the form of an argumentative response, contributes to your ability to write a good argument.

Student 2: Okay, but re-wording my ideas is not going to convince me that I am wrong or that I have misunderstood the main issues, from my perspective.

Student 1: I said at the beginning of this course last week that abortion is not acceptable because it is simply murder. Who is to say that I am wrong? I have the right to my view. It is all relative to the perspective of each individual. After all, in the case of abortion, who has the right to play God? Clearly, nobody but God (has the right to play God). That's my argument.

Class: Sometimes it is possible to hear an audible collective 'sigh' from the class, as if they are not happy with Student 1's response. At the same time, there is rarely any voiced response to Student 1's claim, perhaps because to many students it seems compelling, even convincing. In class surveys suggest that the line taken by Student 1 has been heard by many students in high school at one time or another. Part of the task in an introductory class in applied ethics is to determine what baggage students bring with them from high school or their peers to the college or university course.

Who is to say?

Professor: I think we can agree that words are very important and that we should use them in the most accurate ways possible. To neutralize and qualify a reference or description of an ethical situation provides a means of offering a description of the situation, which is not enmeshed with the value slanting or preferences of one side of the issue or another. This helps both to see clearly. It also helps those who have not initially made up their mind. Student 1, you are right that moving to a neutral description will not –by itself—be persuasive, one way or the other. It will, however, help us all to focus on the justification and not the controversial resolution of the ethical situation. However, Student 2, there are problems with your justification. First, the kind of subjectivist-relativist response you give is not designed to continue the to-and-fro of the conversation that will eventually help us to develop the best justification in support of a controversial view. [See, for example, Hans Georg Gadamer's approach in *Truth and Method*.] It is designed to quiet discussion, close debate and end attempts at a rational justification. The issue is almost never "who is to say", but "what is the justification for what is said". Argumentation, which is the bedrock of justification, is independent of appeals to political authority. It requires no political authority or other to decide what is a bona fide justification. So, it rarely matters what person or persons say, since this is about the circumstances surrounding a discussion not the content of the discussion itself.

The question "Who's to say what is right or wrong?", is often asked by people who believe that nobody can say. Their main concern is to prevent other people from setting themselves up as

moral authorities. If anyone offers some ethical judgement they will probably challenge you by asking, "Who are you to say what's right or wrong?" This response is good in that it suggests that we should challenge all appeals to authority when trying to justify an ethical decision (or tradition when used as an appeal to authority – See, for example, "Does an Appeal to Tradition Rest on a Mistake in Reasoning?" Jim Gough, Proceedings of the Ontario Society for the Study of Argumentation conference on Argumentation at the Century's Turn, CD-ROM, 1999.). At the same time, the response is bad in that it suggests that ethics is a private affair and not of any concern to the public, or open to public knowledge. But private morality is subject to the knowledge base of what is called public morality where education about what is or is not ethically acceptable is open to standard procedures for testing all knowledge claims.

The question, "Who is to say?", is often a reference to the circumstances in which we all learned about what is right or wrong, from our parents, church, teachers, ministers or rabbis, judges, and so on. What needs to be distinguished, is the difference between P1: someone acting as or taking the role of an authority, and P2: someone having the requisite knowledge of an expert or authority. P1 is not necessarily the same as P2. Your parents have the role of authority but not necessarily the expertise of an authority. This is a peculiar problem with ethics, since many people in society feel – without justification or qualification– that they are moral authorities. To be a recognized authority in any area, someone needs the requisite qualifications defining tested expertise, which is not equivalent to social status or position. Finally, if we confuse the source of a claim with the authority of a claim, then we may be guilty of committing a fallacy in reasoning, sometimes called the genetic fallacy or the naturalistic fallacy.

We should be interested in the content of a moral claim not its source, asking ourselves not who authored the justification, but whether or not it is effective in persuading us to accept a controversial claim or opinion. Secondly, the appeal to who is capable or able to play God in making God-like or equivalent decisions, is equally a way of trying to cut off debate or discussion by suggesting that it is simply futile, since we are not and could not be any kind of God authority. This commits the mistake in ethics, which violates the principle of possibility: ought, must or should imply "can" or "ability/capacity". Even if there was some supreme moral authority over everyone, this person could not make something ethically right just by saying so. [See, for example, standard objections to what is known as the Divine Command theory of ethics.] If God had created human beings and if this same God had clearly intended human beings to be responsible for making their own ethical decisions, then this God would need to equip human beings with the capacity or ability to make ethical decisions within the scope of their human-limited knowledge. This seems consistent with most religious notions of the importance of free will. Otherwise, God would have violated the principle of possibility, which to both believers and atheists seems implausible (although if

anything is possible for God then this is) for a number of different reasons.

Thirdly, the claim, "it is all relative", is not a factual description but an evaluation of the situation of ethical decision- making and the circumstances in which it occurs. As such, this controversial claim is itself in need of support from some kind of justification or argument. So, it cannot be used as a piece of uncritical authority. For example, sometimes students are told that every piece of discourse is relative to a context or a circumstance, as if this claim were a "matter of fact", but it isn't. The very claim that all is relative begs or assumes a value or a perspective or a point of view; it doesn't simply describe one.

Finally, both these appeals are misplaced appeals to authority, misplaced appeals, which have the effect of: (a) defeating attempts at rational justification, replacing them with a dead end appeal to authority; (b) ending critical discussion, leaving us with no means of resolving controversial ethical issues. So, we end up back where we started with opinionation instead of argumentation.

Sometimes, "who's to say", is a not well disguised reference to a mistake in reasoning known as an appeal to ignorance. From the fact that we do not know the source of an authority in ethics, it is supposed to follow that this lack of knowledge permits us to infer or conclude that no such expertise is possible. But, this is clearly a mistake since the lack of knowledge of something, does not guarantee that it does not exist. For example, it was known from their effects that certain planets existed prior to any empirical discovery of them. The ignorance of lack of knowledge is something about us, the knower, and not the world. From no knowledge, it is not possible to infer a positive or negative claim; either that something does exist or it does not. All we can know is that we do not know, which is important but not the basis for making any further inference or supported claim about any authority in ethics. In an odd sense, the appeal to ignorance is an appeal to an authority (ignorance) based on no knowledge. From "who's to say", we cannot infer 'no one', we can only conclude 'we don't know'.

We often hear someone asking, "who's to say" not because they don't know, but because they think an answer to this question cannot be given. It's actually a way of denying that there can be objective judgements about ethical issues. It is intended to work as an effective way to bring ethical discussion to an end. Since there is no one to say what is right or wrong, it seems to become a matter of opinion (opinionation: subjective relativism) or it may seem that there are no right answers at all for anyone (moral nihilism). The false assumption implicit in this situation is that all of ethics is a question of authority. It is this assumption that needs to be examined and questioned. [Much of this discussion has benefited from a discussion with Arnold Wilson, former editor of the journal Teaching Philosophy, and the use of his unpublished Class Notes 1: Contemporary Moral Issues, 1981]

Writer's Observations: Some students are convinced while others remain skeptical of the kind of response indicated above. Some students, for example, feel that the professor has simply overwhelmed or set-up the student for the argument presented above. It can take some time to convince students that the response from the professor is not meant to be intimidating, but rather illuminating an important problem in the use of appeals that tend to end discussion and debate, end the process of justification. For other students, there is great trepidation about questioning or even opening up discussion about "God's authority" over anything.

Student 1: I don't agree. Instead, I agree with my Anthropology professor who tells us that we always need to be tolerant and accepting of our individual differences since forcing our Western biases on other cultures has always proved disastrous.

Professor: We will discuss later in the course, perhaps even later this week, how a discipline that began approximately 40+ years ago, now has a particular predominant interest in promoting tolerance, sometimes above other ethical values. For now, however, we need again to focus not on the personality of your specific Anthropology professor as the source of authority and justification for support of some claims, but rather upon the reasons she provides for her claims about the priority for tolerance. The responsibility for claims rests always with us and cannot be transferred to someone else in ethical decision making.

In Today's Society

Student 2: In today's society, women's rights are accepted as well as the rights of anyone to marry anyone they want, regardless of religious prejudice or intolerance. So, today people believe, unlike in the olden days, that gay marriages are acceptable and ethically right.

Professor: The reference to "today's society" is a commonly used appeal to authority, but it is an appeal to authority, which is not necessarily acceptable. Sometimes students use the phrases "our society", "today's world", "people today believe that", or "we all know that" in ways that are roughly equivalent to the use of "today's society". There are important differences between each of these variations, for example, some beg the question more than others ("we all know that"), assuming what has to be proved, but for present purposes I will treat all of them as roughly the same.

First, the reference is vague because it is not clear what is included and/or excluded from the group identified as "today's society". For example, does it include only those in your immediate acquaintance, or does it include those in your social group, your city, your province, your region, your country? Without knowing what is included and what is excluded we don't know how to test this

authority; that is the reference is indeterminate. If it is indeterminate, then its meaning is not clear or it may have no meaning. So, the claim is meaningless or at least its meaning is not clear. To try to use an appeal to an authority when the meaning of the reference is not clear simply doesn't work.

Secondly, ethical issues are not resolved by an appeal to authority, but rather, by an appeal to knowledge. So, the appeal to "today's society" should be an appeal to the knowledge base or expertise represented by this group. However, that is very difficult to do, as Socrates and others have pointed out. "Today's society" is a mixture of different and even conflicting points of view [See, for example, Socrates' discussions in the Republic of Plato with Polymarchus, Thrasymachus, Glaucon, and others with different views of what is just], (consistent with the point we made earlier about everyone in a democracy having the right to voice their own particular points of view). Even if it were not a mixture of differing points of view, the views of the majority notoriously change, sometimes quickly and dramatically, as opinion polls continually make clear to us all the time. Sometimes this is called the fallacious appeal to numbers, the majority or popularity. The popularity of a view doesn't make it right. It just tells us that a lot of people believe it, nothing more.

Thirdly, there is no special knowledge or expertise vested in the present, (simply because it is "current"), that doesn't exist in knowledge derived from the past; it is simply a kind of bias to give priority to present knowledge over past knowledge in an unreflective way. Remember, even sociologists wrestle constantly with trying to identify the features that indicate when a group constitutes a society and there is no necessary unanimity among sociologists about how to define and distinguish a society from a group. Karl Marx, for example, identifies a society in a way that is at odds with other sociological thinkers. There are, of course, acceptable uses of authority in argumentation. It is acceptable to employ references to authorities who have specialized expertise, knowledge or qualifications in identified areas, experts who employ acceptable means of collecting and evaluating their specialized knowledge. Even in these cases, any individual authority can often have his or her claims challenged by other recognized experts in the same area of expertise.

Student 1: This is very confusing. I thought we were just going to discuss our views so that we could understand each other's point of view. Instead, you are adding the idea that we need to pursue argumentation as part of our decision-making. Shouldn't we be looking for the simplest, easiest, most efficient way to make ethical decisions or deal with ethical issues? Your approach hardly seems efficient. Instead, it is simply making everything more complicated and difficult unnecessarily. What you are suggesting doesn't seem to be very helpful at all.

Student 2: This will probably be the only time that I will agree with Student 1. This is making life much more difficult, and doing so

when it doesn't seem necessary at all. I just don't know why we have to worry about whether something is logical or not. I don't think it makes any difference in real life. How could it?

Professor: Now you both seem to have put me on the defensive, which is good. I'm actually glad you are able to challenge what I say in this class. You should be free to challenge my authority, (or the authority of any instructor), and ask me to justify everything that I say, just as I've suggested earlier you should do, in the case of other authorities. After all, I would be inconsistent or hypocritical if I suggested that I was a special case and you couldn't challenge me or anything that I had said in class or in print. As I said in the course outline, I do not promote any particular point of view or response or answer to any ethical issue. This provides students with the maximum space to formulate arguments to support a wide variety of positions. So, I am open to arguments presented by different students on different sides of the debates. However, this means that I cannot evaluate these different responses unless we all use an agreed upon method for attempting to make good ethical decision or resolve ethical issues. I need to evaluate the response of Student 1 to the issue of abortion and Student 2 to the same issue, not simply on the basis of their conclusion or resolution, but on the route or method each used to get to the resolution of this controversial issue. This way I can be fair and each student has the same information about how his or her individual response will be evaluated. Regardless of how I personally feel about any ethical issue, my response, my evaluation of your work, will be constrained by the rules of good argumentation.

Class is over and the class begins to leave. Week 2 has ended for this one term practical or applied ethics course with some students enthusiastic for week 3 to begin with the actual critical discussion of ethical issues and ethical theories in support of arguments about these issues, and other student simply confused.

Writer's Observations: At this point in the course there are many questions that the students have for the next week. This is another pivotal point in the class as some students struggle with argumentation, which is a skill not generally taught in high school or promoted outside of high school. Without the use of this skill, however, the practical ethics course can quickly degenerate into what students disparagingly call: a gabfest, a waste of time, a talking heads show, and so on. Courses where a "gabfest" occurs often frustrate both students and teachers, especially students who want to know of a way, at least of resolving disputes, and instructors who do not themselves have skills in argumentation to teach their students.

Conclusion

The first two weeks of a course in applied or practical ethics are

crucial to set both the tone, rational discussion, and the methods to be followed in the course. As indicated, one way in which the tone and direction of a course can get off track is when students misuse non-argumentative approaches. Confusing opinionation with argumentation is a general misuse of a non-argumentative approach as well as the misuse of references to “who’s to say?” and “who has the right to play God?”. These are all diversions away from the use of actual or accepted argumentation approaches and appeals to authority. These diversions must be corrected and re-directed towards the more productive use of acceptable argumentation in order to provide the means for critically evaluating ethical issues and debates.

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